REMARKS

Reconsideration and withdrawal of the objections and rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance.

I. STATUS OF CLAIMS AND FORMAL MATTERS

Claims 1 and 2 are pending. Figures 1 and 2 are amended, without prejudice.

No new matter has been added by these amendments.

It is submitted that these claims are patentably distinct from the prior art cited by the Examiner, and that these claims are in full compliance with the requirements of 35 U.S.C. §112. The remarks made herein are not made for the purpose of patentability within the meaning of 35 U.S.C. §§ 101, 102, 103 or 112; but rather the remarks are made simply for clarification.

II. OBJECTION TO THE DRAWINGS

Figures 1 and 2 were objected to for allegedly lacking complete legends. By the accompanying Request for Drawing Corrections, Figures 1 and 2 are corrected in the manner required by the Examiner.

Consequently, reconsideration and withdrawal of the objection to the drawings are respectfully requested.

III. 35 U.S.C. §102 REJECTION

Claims 1 and 2 were rejected under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent No. 5,754,682 to Katoh. The rejection is traversed. The instantly claimed elements are absent in the portions of the Katoh patent cited in the Office Action.

The present invention is directed to, for example, an image-processing apparatus for processing the image data input from an image-handling device and then outputting the image data to another image device, comprising black-adaptation correction means for correcting image data. Applying the law to the instant facts, the portions of the Katoh patent cited by the Examiner does not disclose nor enable such an invention.

Katoh relates to coincidence between a hard copy picture and a soft copy picture. Katoh considers the data processing between "device non-dependent data" and "visual environment non-dependent data." More specifically, Katoh considers a conversion based on a chromatic adaptation model. Such a conversion involves three steps: correction of contrast; conversion of a tristimulus value to a cone signal; and correction of chromatic adaptation. Column 9, line 8-41, as cited in the Office Action, relates to correction of contrast of a conversion based on a chromatic adaptation model.

In other words, Katoh does not relate to conversion to device optimal color space. By contrast, the instantly claimed invention does relate to device optimal color space. More specifically, the present invention considers data not depending on the dynamic range of the device. For example, when data LMS is converted to data XopYopZop, i.e., conversion to device optimal color space, the present invention uses a black adaptation correction means. Such an invention is neither taught or suggested in, nor enabled by, the portions of the Katoh patent cited by the Office Action. Furthermore, and contrary to the Examiner's contentions, those portions of Katoh on which the Examiner relies do not suggest that, if the darkest point of the two image-handling devices recited in the claims differ from each other, since adaptation to black varies from person to person, the image data is corrected by black adaptation. Thus, the Section 102 rejection must fail as a matter of law.

Consequently, reconsideration and withdrawal of the Section 102 rejection is respectfully requested.

CONCLUSION

Claims 1 and 2 should be allowed; and this application is in condition for allowance.

Favorable reconsideration of the application, withdrawal of the rejections and objections, and prompt issuance of the Notice of Allowance are, therefore, all earnestly solicited.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP

By: _____
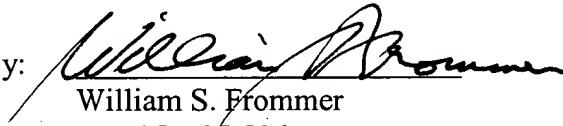
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